

Legislative History for Connecticut Act

PA 14-135

HB5099

House	705-708	4
Senate	3451, 3473, 3480-3481	4
<u>General Law</u>	<u>11-15, 53-58, 125-126</u>	<u>13</u>
		21

If not, we will return to the Call of the Calendar.

Will the Clerk please call Calendar Number 81.

THE CLERK:

Yes, Madam Speaker.

On page 9, House Calendar 81, Favorable Report of the joint standing Committee on General Law, House Bill 5099, AN ACT CONCERNING CARTIER (sic), BREW PUB MANUFACTURING (sic), AND BEER, BREW AND BREW PUB MANUFACTURING (sic), ALCOHOLIC LIQUOR PERMITS.

DEPUTY SPEAKER ORANGE:

Representative Baram.

REP. BARAM (15th):

Good afternoon, Madam Speaker.

I move acceptance of the joint committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER ORANGE:

Good afternoon to you, too, sir.

The question before the Chamber is on acceptance of the joint committee's Favorable Report and passage of the bill.

Representative Baram, you have the floor, sir.

REP. BARAM (15th):

Thank you, Madam Speaker.

This bill enables brew pubs to offer the same catering services as restaurants and to offer their beer craft products off premises.

This was passed unanimously by the General Law Committee. Its effective date is July 1, 2014. There is no negative fiscal note; in fact, it indicates a revenue gain of less than \$3,000.

And this is a great consumer bill that will promote patronage, offer new products to the community, and help the economy.

I move passage of the bill.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Baram.

Will you remark further on the bill before us?

Will you remark further?

Representative Dan Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

This bill actually clarifies for a lot of folks something that has been confusing for a while as to whether or not they were able to do any extra catering. And it's actually a very pro-business bill; it's a good bill, and I urge its passage.

Thank you.

mhr
HOUSE OF REPRESENTATIVES

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April 9, 2014

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Will you care to remark further on the bill before us? Will you care to remark further on the bill before us?

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the Chamber immediately.

DEPUTY SPEAKER ORANGE:

Have all members voted? Have all members voted?

A VOICE:

Did I vote?

DEPUTY SPEAKER ORANGE:

If all members have voted, please check the machine to determine if your vote has been properly cast.

If so, the machine will be locked, and the Clerk will take a tally.

And will the Clerk please announce the tally.

THE CLERK:

mhr
HOUSE OF REPRESENTATIVES

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April 9, 2014

House Bill 5099.

Total number voting	145
Necessary for passage	73
Those voting Yea	145
Those voting Nay	0
Absent, not voting	4

DEPUTY SPEAKER ORANGE:

Thank you, Mr. Clerk.

And the bill passes.

(Speaker Sharkey in the Chair.)

SPEAKER SHARKEY:

Will the Clerk please call Calendar Number 70.

THE CLERK:

Yes. On page number 9, House Calendar Number 70,
Favorable Report of the joint standing Committee on
Judiciary, House Bill 5339, AN ACT CONCERNING THE
ADMINISTRATION OF OATHS AND THE VALIDATION OF CERTAIN
MARRIAGES.

SPEAKER SHARKEY:

Representative Gerry Fox.

REP. FOX (146th):

Thank you, Mr. Speaker.

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CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 – 3508**

pat/gbr
SENATE

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May 7, 2014

Calendar and to mark it PT and that is the item on Calendar Page 43, Calendar 204, Senate Bill 327. If that bill might be just removed from the foot and marked passed temporarily.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I have a lengthy list of items to be placed on a Consent Calendar. I want to thank all of the members for their cooperation.

THE CHAIR:

Senator Looney, hang on please. Please take your conversations outside the Chamber. We have a long Consent Calendar and Senators want to know which bills are on the Consent Calendar. Everybody needs to pay attention, please. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, beginning on Calendar Page 5, Calendar 327, House Bill 5099, I move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Also, Mr. President, Calendar Page 5, Calendar 330, House Bill 5441, move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

pat/gbr
SENATE

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May 7, 2014

SENATOR LOONEY:

Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. One additional item to place on the Consent Calendar at this time. It's Calendar Page 25, Calendar 562, Substitute for House Bill Number 5466. I move to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. Now, Madam President, if the Clerk would list the items on the Consent Calendar so we might proceed to a vote.

THE CHAIR:

Mr. Clerk.

THE CLERK:

We have items from previously adopted Senate Agendas, House Bill 5525, Senate Bill 152, House Bill 5528, House Bill 5311.

On Calendar Page 5, Calendar 327, House Bill 5099.

Also on Page 5, Calendar 330, House Bill 5441.

On Page 6, Calendar 341, House Bill 5117.

Calendar 338, House Bill 5323.

Calendar 344, House Bill 5442.

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SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

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An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

Total number voting	36
Necessary for adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 1
1 – 505**

**2014
INDEX**

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mb/gbr GENERAL LAW COMMITTEE

February 18, 2014
1:00 P.M.

Okay. He's in traffic. He's not here. He is on his way.

Is Representative Diana Urban? Okay. She's not here. So we'll now go to the public, and we'll intersperse them if they come later.

So starting from the public, we have Kurt Cameron from the Connecticut Brewers Guild and then we have David Wollner, Willimantic Brewery, and Kurt Riesenberg.

Is Mr. Cameron here? Yes.

Good afternoon, Mr. Cameron.

KURT CAMERON: Good afternoon. Thank you very much. My name is Kurt Cameron. And although I'm with the Thomas Hooker Brewing Company, I speak to you today on behalf of the Connecticut Brewers Guild. Currently, there are approximately 30 brewery companies, 16 production breweries, six contract brewers, nine brewpubs, and depending on who is counting and what time of day it is, it seems that there are four to eight breweries in planning in the state.

It's safe to say that in the past decade, small domestic breweries have breathed a new light into a somewhat stagnated brewing industry. Although domestic beer market begins to shrink as a whole, the market for locally-brewed craft beer continues to enjoy double-digit growth and in the process, has created numerous jobs both nationally and in the state of Connecticut. My comments today will focus around the caterer's liquor permit, Bill 5099, and how it pertains to brewpubs and brewpub manufacturers in the state.

Currently, the caterer liquor permit, Section 33-37j, allows a person regularly

engaged in the business of providing food and beverages at private gatherings or special events to sell and serve alcohol liquor for on-premises consumption at these gatherings. There is, however, an exception to that current statute that excludes anyone that holds a manufacturer's permit from also holding a caterer's liquor permit. Currently, the challenge that he poses is that a brewpub, which obviously is more of a restaurant than a manufacturing brewery is defined in Section 30-16 as a manufacturer and thus is precluded from obtaining a caterer's liquor permit.

What Bill H.B. 599 -- 5099 would accomplish is to allow brewpubs and brewpub manufacturers to hold a caterer's liquor permit and operate like any other restaurant or catering company in the state and allow them to promote and sell their locally-produced products, operate like every other restaurant or caterer in the state, and as a result, create additional jobs. Thank you for your consideration of this bill.

SENATOR DOYLE: Thank you.

Any questions from the committee?

Senator Witkos.

SENATOR WITKOS: Thank you.

Didn't we pass something in the last legislative session that allowed for the brewpub to be located adjacent to a beer pub manufacturer?

KURT CAMERON: I think what you're referring to is that there was an additional license that was created. A brewpub manufacturer's license and what that allows is a brewpub to also brew beer

for distribution. Is that maybe what you were --

SENATOR WITKOS: And that's different from the caterer?

KURT CAMERON: Yes.

SENATOR WITKOS: If you're currently allowed to brew beer in your facility and have a restaurant, if you will, attached to it or a brewpub, wouldn't it be just a matter of changing your liquor permit from whatever you have now to a caterer? I mean, how difficult would that be rather than create a whole new venue of permitting?

KURT CAMERON: Actually, what we're asking for here is not a whole new venue of permitting, but only to allow -- I think historically what happened here was the caterer's liquor permit when it was originally created said okay, we want to give restaurants and caterers the ability to cater outside of their normal premise; however, we're not going to allow manufacturers to do that. Meaning that, you know, if I was Budweiser, I couldn't come in and set up a restaurant and now self-distribute or cater my beer to places. I don't think it ever envisioned a brewpub license at that particular point when that legislation was created.

So when brewpubs came along and they were put underneath kind of the manufacturer's kind of umbrella, they, by design, were excluded from this. So all we're trying to do is essentially, you know, bring this thing up to speed with what today is, and that is, you've got these brewpubs, which are really more restaurants than anything, and just because their license happens to fall under the auspices of a manufacturer's permit, they're

precluded from getting this caterer's liquor permit.

And just to be clear, any liquor or wine or anything else that these brewpubs serve would still be purchased through distributors so we're -- this is not like an around game to somehow, you know, get around this distributors. This is -- we just want the ability to do this legally and we'll buy any kind of that stuff through the normal distribution channels.

SENATOR DOYLE: Thank you.

As a quick follow-up question, could you clarify, is it, assuming this were passed, would you in a typical catering arrangement, would you guys bring food and liquor? Is that your intention or more just liquor?

KURT CAMERON: Yeah, and to be clear, personally for me, I don't have a manufacturer's permit. This doesn't -- this doesn't even affect me. I still would not be allowed to do, you know, catering events. But yeah, I believe that the way the statute is currently written is that it assumes that it's an organization that is normally engaged in the process of providing food at these events.

SENATOR DOYLE: Right.

KURT CAMERON: So that's currently in the statute.

SENATOR DOYLE: So the straight -- the point of the language is that these brewpubs would cater food and liquor at events.

KURT CAMERON: That's --

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1:00 P.M.

SENATOR DOYLE: Basically, that's the goal of the legislation.

KURT CAMERON: That's the goal and Mr. Wollner, who is going to testify behind me, will have a little more kind of real life --

SENATOR DOYLE: Okay.

KURT CAMERON: -- examples of what we're talking about here.

SENATOR DOYLE: Any further questions or comments from the committee?

Seeing none, thank you very much.

KURT CAMERON: Thank you.

SENATOR DOYLE: Next up is Representative Diana Urban.

REP. URBAN: Thank you, Senator. Sorry that I was a little behind, but we all know there are public hearings going on all over the building.

For the record, I am Representative Diana Urban representing the 43rd District and I am here to testify in opposition to Senate Bill 84, AN ACT CONCERNING CADMIUM IN CHILDREN'S JEWELRY. You have my written testimony in front of you, but what I will tell you is that cadmium is a Grade 1 carcinogen, which is the most toxic classification. It causes kidney damage, bone loss, neurological development problems and it is a hormone disrupter. It's listed as number seven on the Center for Disease Control's list of the 250 most toxic substances and that puts cadmium ahead of arsenic, and it is known as a PBT, that's a persistent bioaccumulative toxic.

ANTHONY REYES: Thank you. Take care.

SENATOR DOYLE: Thank you.

All right. The next speaker -- and again, I appreciate your patience -- is David Wollner, Kurt Riesenbergr and Mike Muszynski.

Is David here?

DAVID WOLLNER: Yes.

SENATOR DOYLE: Yes.

DAVID WOLLNER: Good afternoon. My name is David Wollner. I'm the owner and brewer at the Willimantic Brewing Company, a brewpub in Eastern Connecticut in Willimantic. I want to thank you for hearing my testimony in support of H.B. 5099, the modification of a caterer's permit.

As the owner of the Willimantic Brewing Company in Downtown Willimantic, I'm asking you to consider amending the caterer liquor permit, Bill H.B. 5099, which proposes to allow brewpubs and brewpub manufacturers to hold a caterer's permit. This would enable my business to offer our products outside of our premises, as other restaurants currently can do, for events where we are asked to provide prepared and our fresh-brewed beers.

We are extremely community oriented. We're often asked to cater events, specifically like a business with pleasure where another local business wants to invite the other chamber members in for drinks and something to eat, introduce their products, and up until now, we can provide for a fee, but we haven't been able to provide our local beer.

And because we're a destination brewpub in Eastern Connecticut, the only way we really get business is if people take the trip out to Willimantic. And as beautiful as our building is -- we're in a historic post office -- it's not always enough of a reason for somebody to make the trip, so this bill would allow us to actually go to other venues, maybe museums and galleries that we've been invited to before where we've only been able to provide food for a fee, now we would actually be able to go and send some staff, bring some our fresh beer, introducing our products to other areas where we wouldn't have that opportunity otherwise, and generate a little bit of additional income from that.

So if you have any questions -- it would definitely help us as a small brewpub that's a destination location, but any questions, I could definitely answer.

SENATOR DOYLE: Thank you.

I'll just follow up on a question I had for Mr. Cameron. So you envision, you're a small brewpub, you would go to your typical catering event, you would bring food and beer. Is that what you envision?

DAVID WOLLNER: Yes. So right now, we're able to bring food, because in a sense, we're a restaurant that has a brewery built into it, but the -- our permit does not allow us to extend our liquor permit beyond our location which means we are not allowed to provide beer. Now, some of the folks have come to us and asked us to donate beer for their event, which we often do, but it's not as much as a revenue producer.

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1:00 P.M.

SENATOR DOYLE: I see.

DAVID WOLLNER: It's goodwill.

SENATOR DOYLE: Thank you.

Representative Carter:

REP. CARTER: Thank you, Mr. Chairman.

And thank you for your testimony. So today let's say you go cater a wedding -- have you ever catered a wedding?

DAVID WOLLNER: Only on our premise.

REP. CARTER: On your premise, okay. Anything you've done offsite now, what have you done to allow them to have liquor or what to do they do to get around this law?

DAVID WOLLNER: So typically, if they want to have liquor at their event, they would have to get their own liquor and provide it. So I've done some things for the Lebanon Historical Society and they invite wineries to come and pour their beer -- or pour their wine and they end up giving the winery a stipend. But for me, I would just go and literally donate the beer, usually give out some gift certificates. Again, it's all to drive business back to my business. But we are unable to charge for our beer.

REP. CARTER: Thank you.

SENATOR DOYLE: Senator Witkos.

SENATOR WITKOS: Thank you.

Kind of a follow-up question, if somebody had a -- a local fire department or an entity had a

beer garden and they had you come and provide the beer for that beer garden, what kind of permit do you operate under and are you making money off of that or is that a full donation, say, to the local fire department?

DAVID WOLLNER: Okay. So typically, every time you find our beer at an event -- and we do dozens and dozens of charity events -- the charity themselves typically would pull the permit for the day and then we bring, you know, basically free product. And we do dozens of these a year and they're all -- and it's great, and we enjoy doing them. It's wonderful to provide for these causes. But there are the events that aren't necessarily for a charity, they're just to raise money for a local organization, which is great also, but then again, we can only donate it at that point.

SENATOR WITKOS: So every time we see a brewery out there, they're donating their product because they can't legally bring it out to a destination for sale?

DAVID WOLLNER: I don't know what others do, but I know that that's typically what I -- what I do, yeah.

SENATOR DOYLE: Representative Rutigliano.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

Full disclosure, I hold three of those nine brewpub permits. We have a brewpub liquor license. Do you have a brewpub liquor license?

DAVID WOLLNER: Yes.

REP. RUTIGLIANO: Under that, your primary business is food. You're in the restaurant business. Right? I know we've talked offline. I have a

catering license. We cater. I donate more beer than anybody on the planet. Believe me, I get it. But we're able to do offsite catering through our restaurant license. The problem that I was having or understanding the problem that I was having talking to Kurt was the name of the bill, brewpub manufacturing and brewpub manufacturer alcohol liquor permit, because we're brewpub liquor. We're not brewpub manufacturer. Right?

DAVID WOLLNER: Well, and again, because as we know, things get changed and added on through the years. Brewpub permits initially had a zero food requirement, but if you want to serve alcohol, which we do, you have restaurant liquor added so we do hold, in a sense, it's a dual permit. But my understanding has always been that under the brewpub end of it, they -- the state decided that we are technically a manufacturer because we are producing our own beer, and under that manufacturer's wording, that would then preclude us from also having the catering permit. I could be in the dark on that.

REP. RUTIGLIANO: Have you talked to the liquor -- the Department of Consumer Protection, I mean, the licensing function?

DAVID WOLLNER: I've --

REP. RUTIGLIANO: I mean, I want you to have this. I get what you're going for. In fact, if it didn't say the word "manufacturer", I probably wouldn't even have a question because it would seem like a no-brainer. Brewpubs, by definition in this state, are restaurants that happen to make beer. Right? I mean, that's the business we're in.

DAVID WOLLNER: Yes.

REP. RUTIGLIANO: Right. So is there any other clarification you can give me on that one? I mean, I want you to have this. I just don't want it -- the manufacturing word is what is the problem.

DAVID WOLLNER: And honestly, I think again what we're just trying to do is amend. And I think if we could actually make it simple and that if, you know, you brew beer in this state and you -- you know, you serve food then you should be able to bring it and sell wherever, but I don't know how to word that. And again, I think what we're trying to do is take something that's already existing and either strike some language or just write in some language that just makes it a little more general and it makes it more accommodating for the brewpubs.

REP. RUTIGLIANO: Thank you, and thank you for your testimony.

DAVID WOLLNER: Thank you.

REP. RUTIGLIANO: Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Any further questions from the committee?

Seeing none, thank you very much.

DAVID WOLLNER: Thank you very much.

SENATOR DOYLE: Next speaker is Kurt Riesenbergs and Mike Muszynski -- and I apologize if I mispronounce it -- and then Win Davis.

Is Kurt here? Yes.



967 Main Street, Willimantic, CT 06226
 P - 860-423-6777 F - 860-450-0794
www.willibrew.com

H.B. No. 5099 (RAISED) AN ACT CONCERNING CATERER, BREW PUB MANUFACTURER AND BEER AND BREW PUB MANUFACTURER ALCOHOLIC LIQUOR PERMITS. (GL)

2/18/14

Dear General Law Committee Members:

As the owner and brewer of the Willimantic Brewing Company LLC in downtown Willimantic, I am asking you to consider amending the Catering liquor permit. Bill H.B 5099 proposes to allow Brewpubs and Brewpub Manufacturers to hold a caterers permit.

This would enable my business to offer our products outside of our premises, like other restaurants can currently do, for events where we are asked to provide prepared food and our fresh brewed beers. We are very community oriented and we are often asked to "cater" an off site event for the local Chamber of Commerce, galleries, museums, and fund raisers. At this time we just drop off the prepared food and are unable to serve or sell our beer

As a destination brewpub we are also limited in our abilities to generate more sales without patrons visiting our establishment, H.B 5099 will allow us to take our great food and beers to other venues and generate additional revenues.

I appreciate the time you are taking to consider this bill and if you require any additional information please feel free to call my cell phone 860-465-6352.

Thank you,

David Wollner
 Owner/Brewer
 Willimantic Brewing Company LLC
 967 Main Street
 Willimantic, CT 06226
 860-423-6777

STATE OF CONNECTICUT
HOUSE OF REPRESENTATIVES



HOUSE DEMOCRATS OFFICE
LEGISLATIVE OFFICE BUILDING, ROOM 4100
HARTFORD, CONNECTICUT 06108-1591

February 18, 2014

Senator Doyle, Representative Baram, and members of the General Law Committee, thank you for the opportunity to submit testimony to your committee.

We are writing in support of **HB 5099**, An Act Concerning Caterer, Brew Pub Manufacturer and Beer and Brew Pub Manufacturer Alcoholic Liquor Permits.

We support this bill because it enables brew pubs, such as the Willimantic Brewing Company which resides in our district, to offer the same catering services as restaurants. The bill will allow similar establishments to offer their products outside of their premises. Currently, they are limited to the delivery of food despite requests for catering service and off-site beer sales.

The Willimantic Brewing Company is a model brew pub, offering a rounded menu and dining room. In addition, they are community-minded and frequently work with local organizations - contributing to the vibrancy and economy of our town. The only distinction that separates this brew pub from a restaurant is that they craft their own line of beer and HB 5099 expands their ability to serve its patrons.

Thank you for your time.

Sincerely,

Handwritten signature of Susan Johnson in black ink.

Rep. Susan Johnson
49th District

Handwritten signature of Linda Orange in black ink.

Rep. Linda Orange
48th District